

**CITY OF WINTER PARK
CODE ENFORCEMENT BOARD**

Regular Meeting
Commission Chambers

January 10, 2008
3:00 pm.

MINUTES

The Chairman, Zane Williams, called the regular meeting of the Code Enforcement Board to Order at 3:05 p.m. on the 10th day of January, 2008, in the Commission Chambers of City Hall, Winter Park, Florida.

I. Roll Call:

Those present were Zane Williams, Chairman, Keith Manzi, Vice- Chairman, Rudolph Scott, Lori Keifer, David Dodd, Lee Strickland and Terri Oster.

Bryan Thomas was not in attendance.

II. Approval of Minutes of Previous Meeting:

A motion was made by Ms. Kiefer, seconded by Mr. Williams and unanimously carried approving the minutes of the October 4, 2007 Code Enforcement Board hearing.

III. Swearing in of Witnesses:

All witnesses were sworn in.

IV. Compliances:

1. CEB 07-2141- 1327 Via Del Mar, Winter Park, FL 32789- Illegal use of Property.
2. CEB 07-2243-630 Pansy Avenue, Winter Park, FL 32789- Animal Nuisance.

V. New Business:

1. CEB 06-2144 – 500 N. New York Avenue, Winter Park, FL 32789 – Sprint United Management Co.

Respondent was notified by certified/regular mail. Good Service was obtained.

The Respondent was cited; the generator at the site nature of noise is unusual, causes disturbances to overflow onto adjacent residential properties. Chapter 62, Section 62-96 of the City of Winter Park Code of Ordinance.

Sylvia Wellon-Wooten, Chief Code Enforcement Officer, presented a brief summary of the case and submitted pictures as evidence.

Officer E. Santos gave testimony

Bob Secrist - Neighbor gave testimony

George Wiggins, Director of Building and Code Enforcement, gave testimony

Debi Fussell, Representative of Embarq, gave testimony

Dan Peterson, Public Affairs for Embarq, gave testimony

Mrs. Wellon-Wooten recommended that the Board issues an Order stating that a violation exists.

Discussion was held.

Motion made by Mr. Dodd, and seconded by Mr. Manzi, finding the Respondent in violation of Chapter 62 Section 62-96 of the City of Winter Park Code of Ordinance. The Respondent is ordered to rectify the noise issue by submitting application for a permit within 14 business days from today and is recommended that an acoustical wall be put up to quell the noise that is caused by the generator. In addition, failure to comply shall result in a fine up to \$250.00 per day and or occurrence per verifiable police reports. The Respondent is further ordered to re-appear before the next Code Enforcement Board with a plan for completion or abatement or resolution that is satisfactory to the City.

Motion carried by a unanimous voice vote.

2. CEB- 07-2080 - 1584 Lake Knowles Circle, Winter Park, FL 32789- Chance

Respondent was notified by certified/regular mail. Good Service was obtained.

The respondent was not in attendance.

The Respondent was cited; a barking dog nuisance. Chapter 62, Section 62-96 and Chapter 18 Section 18-17 (1) of the City of Winter Park Code of Ordinance.

Sylvia Wellon-Wooten, Chief Code Enforcement Officer, presented a brief summary of the case and pictures as evidence.

Officer Williams, gave testimony

Officer Mike Bishop, gave testimony

William Keegan, Neighbor gave testimony

Mrs. Wellon-Wooten recommended that the Board issues an Order stating that a violation exists.

Discussion was held.

Motion made by Mr. Dodd, and seconded by Mr. Manzi, finding the Respondent in violation of Chapter 62, Section 62-96 and Chapter 18 Section 18-17 (1) of the City of Winter Park Code of Ordinance. The Respondent is ordered to take necessary measures to eliminate all disturbances within the next 5 days. Failure to comply with this order shall result in a fine up to \$250.00 per day and or occurrence per verifiable police reports. The Respondent is further required to contact the City Code Enforcement Officer to verify compliance.

Motion carried by a unanimous voice vote.

3. CEB- 06-2144, 788 W. New England Avenue, Winter Park, FL 32789 - Leach

Respondent was notified by certified/regular mail. Good Service was obtained.

The respondent was not in attendance.

The Respondent was cited; unsanitary conditions, multiple housing, property maintenance, building, health and safety violations. No running water and no electricity. Chapter 22, Sections 22-176, 22-177, 108.1, 108.7, 303.6, 304.14, 602.1, 602.2, 302.1, 302.5, 304.2, 305.5, 304.13, 304.13.1, 304.14, 308.1, 605.1, 305.2, 505.1, 505.3 and 505.4 of the Property and Building Maintenance code as adopted and amended by the City of Winter Park.

Susanne Rueda, Code Enforcement Officer, presented a brief summary of the case and submitted photographs as evidence.

Mrs. Rueda recommended that the Board issues an Order finding the respondent in violation and that the property be brought into compliance by restoring utilities and making necessary repairs or obtain a demolition permit within 5 days, or face fines up to \$250.00 per day.

Discussion was held.

Motion was made by Ms. Kiefer, and Seconded by Mr. Williams, finding the Respondent in violation of Chapter 22, Sections 22-176, 22-177, 108.1, 108.7, 303.6, 304.14, 602.1, 602.2, 302.1,

302.5, 304.2, 305.5, 304.13, 304.13.1, 304.14, 308.1, 605.1, 305.2, 505.1, 505.3 and 505.4 of the Property and Building Maintenance code as adopted and amended by the City of Winter Park. The Respondent is ordered to secure the premises within 12 hours of receipt of this Order. If compliance is not met, the City of Winter Park has the authority to secure to the premises; further the Respondent has 10 days to apply and obtain a permit to make necessary repairs or apply for a demolition permit and have structure demolished. If Respondent fails to comply, the City of Winter Park staff is ordered to demolish the property and all fees will be assessed and charged back or lien against the property/respondent. In addition, failure to comply shall result in fines up to \$250.00 per day. The Respondent is further required to contact the City Code Enforcement Officer to verify compliance.

Motion carried by a unanimous vote.

VII. **For Information Only:**

VIII. **Next Meeting Date:**

February 7, 2008

IX. **Adjournment of Meeting:**

There being no further business, the meeting adjourned at 4:30 p.m.

Respectfully submitted,

Smitha Raphael
Acting Code Enforcement Board
Recording Secretary

Zane Williams
Chairman